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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/756,386	01/08/2001	Thomas D. Petite	081607-1021	6996

7590

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EXAMINER

BARNIE, REXFORD N

ART UNIT

PAPER NUMBER

2643

DATE MAILED: 07/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/756,386

Applicant(s)

PETITE, THOMAS D.

Examiner

REXFORD N. BARNIE

Art Unit

2643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on 15 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 33,35-50,52-55 and 57-73 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 33,35-50,52-55 and 57-73 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

*Rexford Barnie*  
REXFORD BARNIE  
PRIMARY EXAMINER

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 33, 35-50, 53, 54, 55 and 58-73 are rejected under 35 U.S.C. 103(a) as being unpatentable over Karimullah (US Pat# 5,343,493) in view of Sheffer et al. (US Pat# 5,568,535).

Regarding claim 33, Karimullah teaches a personal assistance system and method for use with a cellular communication system wherein a low power transmitter (20) can transmit a codeword indicative of a telephone number associated with a service provider in (see col. 4 lines 42-65, col. 8 lines 1-33, col. 9 lines 34-40). The codeword makes it possible to contact a desired service provider which could include a plurality of providers including a 911 and so forth in (see fig. 1 and col. 2 lines 3-14).

The applicant argued that Karimullah fails to teach transmitting a telephone number and instead teaches a codeword even though the examiner disagrees.

Transmitting of a packet, which includes a telephone number, as part of contacting a service provider is notoriously well known.

Sheffer teaches an alarm system for enclosed area in (see fig. 1) wherein a communication unit (10) can transmit alarm data to a monitoring station over a PSTN network by transmitting a packet in addition to a telephone number in (see cols. 6-7).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Sheffer into that of Karimullah thus making it possible to contact a service provider and relay type of emergency information from transmitted alarm data and to take any corrective measures, if necessary inferred from (col. 7-col. 8 line 1 of sheffer's disclosure).

Regarding claims 35-42, The combination teaches the claimed limitation in (see col. 7 lines 20-col. 8, col. 9 lines 58-62 of Sheffer and disclosure of Karimullah).

Regarding claims 44-45, transmitting packets using an error correction or detection bit is notoriously well known. Note that the combination including Sheffer teaches usage of a start/stop bit. Therefore, it would have been obvious to one of ordinary skill to include such knowledge for the obvious reason of being able to transmit packet information over the internet to be received by a destination site.

Regarding claim 46, Karimullah teaches a method of communicating information to a predetermined location comprising of wirelessly transmitting an information signal from a low power transmitter wherein the communication includes a service request code word to be transmitted to one of a plurality of service providers based on the input signal identifier as transmitted in (see cols. 1-10).

The applicant argued that Karimullah fails to teach transmitting a telephone number and instead teaches a codeword even though the examiner disagrees.

Transmitting of a packet, which includes a telephone number, as part of contacting a service provider is notoriously well known.

Sheffer teaches an alarm system for enclosed area in (see fig. 1) wherein a communication unit (10) can transmit alarm data to a monitoring station over a PSTN network by transmitting a packet in addition to a telephone number in (see cols. 6-7).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Sheffer into that of Karimullah thus making it possible to contact a service provider and relay type of emergency information from transmitted alarm data and to take any corrective measures, if necessary inferred from (col. 7-col. 8 line 1 of Sheffer's disclosure).

Regarding claims 47-50, 53 and 54, The combination including Karimullah teaches in (see col. 8) receiving a transceiver identification data and so does Sheffer in (see col. 7).

Regarding claim 55, Karimullah teaches a system for communication information to a central location, the system comprising means to compose and generate alarm information by using a transmitter, receiver and processing element to convey instruction code to a central location which could be one of a plurality of service providers in (see fig. And disclosure).

The applicant argued that Karimullah fails to teach transmitting a telephone number and instead teaches a codeword even though the examiner disagrees.

Transmitting of a packet, which includes a telephone number, as part of contacting a service provider is notoriously well known.

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Sheffer teaches an alarm system for enclosed area in (see fig. 1) wherein a communication unit (10) can transmit alarm data to a monitoring station over a PSTN network by transmitting a packet in addition to a telephone number in (see cols. 6-7).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Sheffer into that of Karimullah thus making it possible to contact a service provider and relay type of emergency information from transmitted alarm data and to take any corrective measures, if necessary inferred from (col. 7-col. 8 line 1 of Sheffer's disclosure).

Regarding claims 58-60, Transmission of signals using RF, infrared or ultrasound is notoriously well known in the art. The combination teaches being able to transmit a low power signal and would have been obvious to one of ordinary skill in the art to use any functionally equivalent signal.

Regarding claims 61-65, The combination including Karimullah teaches transmitting and receiving location information, transceiver identification code and so forth in (see col. 4, col. 7 line 64-col. 8 of Karimullah and col. 8 of Sheffer).

Regarding claim 66, Karimullah teaches a communication system including a wireless receiver, a transmitter and a controller in (see fig. 3) connected to a processing center which can send an incoming signal via a telephone line (110) to one of a plurality of service providers (AAA, ADT, 9111, POLICE and so forth @ fig. 1).

The applicant argued that Karimullah fails to teach transmitting a telephone number and instead teaches a codeword even though the examiner disagrees.

Transmitting of a packet, which includes a telephone number as part of contacting a service provider is notoriously well known.

Sheffer teaches an alarm system for enclosed area in (see fig. 1) wherein a communication unit (10) can transmit alarm data to a monitoring station over a PSTN network by transmitting a packet in addition to a telephone number in (see cols. 6-7).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Sheffer into that of Karimullah thus making it possible to contact a service provider and relay type of emergency information from transmitted alarm data and to take any corrective measures, if necessary inferred from (col. 7-col. 8 line 1 of Sheffer's disclosure).

Regarding claim 67, the combination renders obvious the claimed subject matter.

Regarding claim 68, The combination teaches analysis of transmitted data signals to determine type of alarm and so on.

Regarding claims 69-71, Transmission of signals using RF, infrared or ultrasound is notoriously well known in the art. The combination teaches being able to transmit a low power signal and would have been obvious to one of ordinary skill in the art to use any functionally equivalent signal.

Regarding claim 72, Karimullah teaches a personal assistance system and method for use with a cellular communication system wherein a low power transmitter (20) can transmit a codeword indicative of a telephone number associated with a service provider in (see col. 4 lines 42-65, col. 8 lines 1-33, col. 9 lines 34-40) to be received by a transceiver means. The codeword makes it possible to contact a desired

service provider which could include a plurality of providers including a 911 and so forth in (see fig. 1 and col. 2 lines 3-14).

The applicant argued that Karimullah fails to teach transmitting a telephone number and instead teaches a codeword even though the examiner disagrees.

Transmitting of a packet, which includes a telephone number, as part of contacting a service provider is notoriously well known.

Sheffer teaches an alarm system for enclosed area in (see fig. 1) wherein a communication unit (10) can transmit alarm data to a monitoring station over a PSTN network by transmitting a packet in addition to a telephone number in (see cols. 6-7).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Sheffer into that of Karimullah thus making it possible to contact a service provider and relay type of emergency information from transmitted alarm data and to take any corrective measures, if necessary inferred from (col. 7-col. 8 line 1 of Sheffer's disclosure).

Regarding claim 73, Karimullah teaches a personal assistance system and method for use with a cellular communication system wherein a low power transmitter (20) can transmit a codeword indicative of a telephone number associated with a service provider in (see col. 4 lines 42-65, col. 8 lines 1-33, col. 9 lines 34-40) to be received by a transceiver means. The codeword makes it possible to contact a desired service provider which could include a plurality of providers including a 911 and so forth in (see fig. 1 and col. 2 lines 3-14).



The applicant argued that Karimullah fails to teach transmitting a telephone number and instead teaches a codeword even though the examiner disagrees.

Transmitting of a packet, which includes a telephone number, as part of contacting a service provider is notoriously well known.

Sheffer teaches an alarm system for enclosed area in (see fig. 1) wherein a communication unit (10) can transmit alarm data to a monitoring station over a PSTN network by transmitting a packet in addition to a telephone number in (see cols. 6-7).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Sheffer into that of Karimullah thus making it possible to contact a service provider and relay type of emergency information from transmitted alarm data and to take any corrective measures, if necessary inferred from (col. 7-col. 8 line 1 of Sheffer's disclosure).

Claims 43, 52 and 57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Karimullah (US Pat# 5,343,493) in view of Sheffer et al. (US Pat# 5,568,535) and further in view of Burnett (US Pat# 6,067,030).

Regarding claims 43, 52 and 57, The combination including Sheffer teaches transmission of packets when contacting a monitoring station but arguably fails to teach using an "IP address" even though, information would be transmitted over a computer network.

Burnett teaches a communication system wherein fields associated with alarms can be transmitted by using an IP address in (see col. 3 lines 54-67, col. 7) for display.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Burnett into that of the combination thus making it possible to contact monitoring stations over any available networks for the obvious reasons to be able to send distress signals to a remote service provider for immediate assistance.

### ***Response to Arguments***

Applicant's arguments filed on 05/11/2004 have been fully considered but they are not persuasive.

The applicant argued that the prior art of record (Karimullah) teaches transmitting a codeword and not a telephone number.

The examiner disagrees with the applicant because the signal transmitted would be an encoded signal including identifier or identification information associated with the service provider to which a request is being made. According to (col. 2 lines 3-14), a user can press a button associated with a 911 service provider or any one of a plurality of service providers. The encoded signal makes it possible to uniquely identify a destination party.

Furthermore, according to applicant's own disclosure, information transmitted can be encoded and could be deciphered in (see pages 25-29 of applicant's disclosure) in the form of bits and so forth.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **REXFORD N BARNIE** whose telephone number is 571-272-7492. The examiner can normally be reached on M-F 9:00-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, CURTIS KUNTZ can be reached on 571-272-7499. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PRIMARY EXAMINER  
REXFORD BARNIE  
06/07/05

  
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